

Panthers Arrested in Police Battle Bound Over for Trial

Judge Terms Activities of 11 'Armed Anarchy,' Seven Others Seized in Simultaneous Raids Also Face Court

LATimer 1/24/70 BY ROY HAYNES
Times Staff Writer

Black Panthers who allegedly fought a four-hour gun battle with police at their Central Ave. headquarters last month and wounded three officers were bound over Friday by Municipal Judge James Harvey Brown for trial in Superior Court.

Judge Brown termed the activities of the nine men and two women "armed anarchy" and ruled they must stand trial on charges of "conspiracy to commit murder."

Seven other defendants arrested Dec. 8 in two simultaneous raids of other Panther buildings were bound over for trial on lesser charges.

Much of the evidence presented at the three-week preliminary hearing by Dep. Dist. Attys. Stephen S. Trott and Ronald H. Carroll was an indictment of the Black Panther Party.

The prosecution charged that the party policy called for armed insurrection and murder of police officers. They introduced party publications, confiscated party records and intelligence reports to support their contention.

They then presented evidence intended to show the Los Angeles group took actions to carry out those plans. A significant part of that evidence was that the Central Ave. headquarters was an armed fortress with military bunkers and military weapons.

The defense attorneys, Luke McKissack, counsel for the Los Angeles chapter of the party, and Leo Branton Jr., a prominent Negro attorney who came out of retirement to handle the case, charged that the proceedings were "political persecution."

Attorney Phill Silver, who represented one defendant, claimed his

client, Miss Tommie Williams, was only at the headquarters by coincidence.

Judge Brown commented on both charges:

"Even if we ignore the material in the documents. The condition of the premises . . . and the bombs and armament would lead anyone, even a casual visitor—to believe illegal activities were planned.

"They didn't have to stay there.

They were under no misapprehension about what was going on there . . . Further all the defendants are named in those documents . . . They were acting in concert with party discipline."

The judge said what was going on was "armed anarchy."

The prosecution charged only those defendants who were captured at the Central Ave. building with the conspiracy, however. The prosecutors indicated they may seek to charge the other defendants with the conspiracy at the arraignment in Superior Court Feb. 6.

Assault Charged

Those at Central Ave. were also charged with conspiracy to commit assault with a deadly weapon against a police officer on three counts.

They are Robert Bryan,

Jackie Johnson, Melvin C. Smith, Tommie Williams, Roland Freeman, Lloyd Mimms, Wayne L. Pharr, Willie Stafford, Bernard Smith, Renee Moore, and Paul Redd.

Judge Brown ordered them held without bail except for Tommie Williams, who is already free on \$10,000 bail. He later, at defense request, set bail for Bernard Smith at \$50,000 because he is 17 years old and does not face a death penalty. (He was certified by a juvenile court to be tried as an

adult.)

The conspiracy charge also was not brought against George Young, a member of the Central Ave. group, because he was arrested before the raid on a separate charge of assaulting a police officer with a deadly weapon.

Four Panthers who surrendered peacefully at the Exposition Blvd. head-

quarters, Albert Armour, Isiah Houston, Craig Williams and Sharon Williams, were charged with conspiracy to possess illegal explosives. Three bombs reportedly were found there. Armour and Sharon Williams are free on bail.

The chief of the Los Angeles group, Elmer Pratt, was not at the headquarters at the time of the raid. He and his wife, Sandra, were arrested at a private residence occupied by Panthers.

She was charged with possession of an illegal weapon after officers found photographs at the house of her posing with the Thompson submachine gun later used in the gun battle. Her bail was set at \$50,000.

Elmer Pratt was arrested on the same charge plus a charge of assault with a deadly weapon against a police officer. An officer testified that Pratt pointed a gun at him as he patrolled Central Ave.

Pratt's bail was set at \$100,000. The defense protested the amount, but the prosecution pointed out that Pratt was on bail on two other charges at the time of his arrest.

The prosecution introduced 106 exhibits, including 28 weapons recovered from the three buildings, into evidence, with testimony from 56 witnesses, mostly police officers.

Judge Brown denied a defense motion that all evidence recovered at the three buildings be suppressed because it resulted from an illegal search and seizure.

According to police, they raided the three buildings to serve search warrants to search for illegal weapons and to arrest three Panthers on other charges.

The defense claimed these warrants were used as an "excuse" to raid the buildings and further an alleged police conspiracy to "wipe out" the Panthers.